

BUDLEIGH SLATERTON  
(East Budleigh)

07/1505/FUL

Target Date: 19.07.07

Applicant: Ms F Carter  
Location: Pooh Cottage Holiday Site, Bear Lane, Budleigh Salterton  
Proposal: Temporary permission for 3 years to retain timber lodge

### **CONSULTATIONS**

#### County Highway Authority

No objection

#### EDDC Environmental Health

No comment

### **TOWN/PARISH COUNCIL**

East Budleigh – no objection

Budleigh Salterton (as adjoining parish) “Refused. It is recommended that temporary planning permission should be granted for 12 months. There are concerns regarding the location of the building in view of the specified usage. It is suggested that the enforcement officer visits the site to check it is being used for the stated purpose and not for holiday accommodation”.

### **WARD MEMBER(S)**

No comments received.

### **REPRESENTATIONS**

#### Objections

9 letters have been received raising the following points:

- Inadequate storage and disposal of foul water
- Unsuitable access for the volume of traffic being generated by the site
- Noise from the site
- Effect on Area of Outstanding Natural Beauty
- Creeping development

### **RELEVANT PLANNING HISTORY**

<b>APP NO.</b>	<b>PROPOSAL</b>	<b>DECISION</b>	<b>DATE</b>
07/1500/FUL	Temporary use of land for three years for stationing of mobile washrooms for use of the adjacent touring caravan park	Under consideration	
07/1505/FUL	Temporary permission for 3 years to retain a timber lodge	Under consideration	
07/1508/COU	Change of use of land for stationing a holiday caravan	Under consideration	
06/2660/FUL	Renewal of permission for replacement toilet	Withdrawn	18.06.2006

block and hard standing for touring caravans

06/1477/CPE	Caravan and camping site and stationing of one mobile home for lettings	Certificate of lawfulness issued	31.08.2006
03/P2961	Holiday accommodation, changes of use, camping & caravan proposals	Withdrawn	31.03.2004
02/P1376	Change of use to siting of three static caravans	Withdrawn	12.07.2002
01/P2575	Replacement toilet block & hard standing for touring caravan	Conditional approval	14.02.2002
99/P1683	Conversion Of Stables To Overnight Holiday Accommodation	Conditional approval	13.01.2000
97/P0588	Land To Be Used For Storing Five Touring Caravans	Refused	25.07.1997
96/P0060	Stationing Of Residential Caravan	Temporary approval	21.03.1996

## **PLANNING POLICIES**

### Government Guidance

PPS 7 – Sustainable Development in Rural Areas.

### Devon Country Structure Plan (2001-2016)

Policy ST1 – Sustainable Development

Policy CO3 – Areas of Outstanding Natural Beauty

Policy CO13 – Protecting Water Resources and Flood Defence

Policy TO3 – Tourist Development in Rural Areas

Policy TO4 – Touring Parks and Camping Sites

### East Devon Local Plan (1995-2011)

Policy S5 – Countryside Protection

Policy D1 – Design and Local Distinctiveness

Policy D5 – Trees on Development Sites

Policy EN1 – Development affecting Areas of Outstanding Natural Beauty

Policy EN17 – Maintenance of Water Quality and Quantity

Policy TO4 – Caravan, chalet and Camping sites

## **SITE LOCATION AND DESCRIPTION**

The holiday site is located just to the north of the town of Budleigh Salterton although it actually lies in the parish of East Budleigh. The site is accessed via a single carriageway road from the B3178 Knowle to East Budleigh road; the road also serves a number of other properties further to the north.

The location is within the Area of Outstanding Natural Beauty (AONB), with some tree and hedge screening around the site, although less so on the eastern boundary. The site is also included in the local water source protection zone.

## **PROPOSED DEVELOPMENT**

The scheme is for retrospective permission to site a timber lodge approximately 3.5m x 3.2m in footprint, 3.4m in height to the top of the pitched roof. The lodge is sited in an area of land within the touring park adjacent to the reception area, alongside the proposed site for a static caravan (the subject of another application pending consideration). The timber lodge will be used as an office/reception by the resident site manager.

The current reception is housed on the ground floor at the western end of the main building of Pooh Cottage. Permission is sought for three years until the site becomes more established and a permanent solution is found for reception and washing facilities for the site. The retention of the existing washing and shower facilities is the subject of another application pending consideration.

## **CONSIDERATIONS AND ASSESSMENT**

### **Background**

The site operates as a touring caravan and tent site with 47 pitches and was granted a legal use in August 2006 following the submission of a certificate of lawfulness. There is a significant planning history for the site (as listed under the planning history).

### **Impact on Residential Amenity**

In the context of the whole site, taking into account the size of the structure and its proposed use it is not considered that in itself the siting of a timber lodge in this location would significantly affect the amenity of neighbouring properties. This is due to the distance between the proposal and those properties and the existing screening of the site.

### **Highway Issues**

A number of neighbours have raised the issue of the narrow access track serving the site from the public highway as a general issue, although the Highways Officer has raised no objection to the scheme. The retention of the structure and its use as a reception for the site is considered to have little effect on the highway issues, as a reception office already exists, and the status quo would be retained.

### **Impact on Landscape**

The timber lodge would be a permanent feature for 12 months of the year, albeit for only 3 years until further development could be undertaken to provide permanent facilities for a reception area. The timber lodge is quite visible within the site, and although screened to the north by trees, it would have a harmful impact on the character and appearance of the landscape, the site being located within the Area of Outstanding Natural Beauty.

### **Source Protection Zone**

Taking into account the size of the timber lodge and its use it is not considered that alone, it will have a significant impact to the local natural water source.

### **Caravan, Chalet and Camping Sites**

Policy T04 within the Local Plan sometimes permits the extension or upgrading of sites (Shops, shower blocks, swimming pools) where they lie within the AONB subject to the development being sensitive in scale to the immediate surroundings and extensive landscaping is provided.

However this policy also resists proposals for the siting of additional permanent structures within existing sites where they lie within AONBs and other areas of protected countryside.

### Officer Comments

A reception area already exists for the site on the ground floor of the main building. No information has been submitted with the application as to what will happen to this existing office, and no real justification has been submitted as to why the reception needs to be moved to this timber building instead of staying in its existing location, even whilst future plans are drawn up and put in place.

In regard to the traffic accessing the site, without an objection from County Highways it would be difficult to sustain an objection on this issue, although the issue is acknowledged. Similarly in regard to the amenity of neighbours it is not considered that the siting of the timber lodge would significantly impact upon neighbouring properties due to the distance to actual dwellings.

### CONCLUSIONS

The siting of the structure would be a permanent feature 12 months of the year, albeit for the proposed 3 year period only. Although an objection on highways or amenity grounds could not be substantiated, taking into account the permanent nature (for 3 years) of the timber lodge within the site located as it is within the AONB, it is considered the structure would be inappropriate. Whilst the upgrading of existing touring parks is facilitated by Policy T04, no real justification has been provided as to why the existing reception cannot be retained whilst future plans are put in place. In addition the proposal would add to the spread of permanent and semi permanent structures in this area of the site, with their consequent impact upon the character of appearance of the area.

In the circumstances it is considered the application should be refused.

**RECOMMENDATION** REFUSE for the following reason:

1. The proposal, by reason that no adequate justification has been submitted for the proposal, and the siting of a semi-permanent structure for three years causing an impact to the character and appearance of the immediate area and wider landscape of the AONB, is contrary to Policy ST1 – Sustainable Development, CO3 – Areas of Outstanding Natural Beauty, TO3 – Tourist Development in Rural Areas and TO4 – Touring Parks and Camping Sites of the Devon Structure Plan 2001 – 2016, and Policy S5 – Countryside Protection, D1 – Design and Local Distinctiveness, EN1 – Development affecting Areas of Outstanding Natural Beauty and Policy TO4 – Caravan, chalet and Camping sites of the East Devon Local Plan 1995 – 2011.

### **FURTHER RECOMMENDATION**

1. That the Chief Executive be authorised to take such legal action as is considered necessary to remedy the alleged breach of planning control. It being expedient to do so because the timber lodge is detrimental to the character and appearance of the area and the wider landscape which forms part of an AONB.

**Time period for compliance – 12 months from when the Notice takes effect.**

### List of Background Papers

Application file, consultations and policy documents referred to in the report.